

## **REMARKS/ARGUMENTS**

### 1. SUMMARY OF THE INTERVIEW

Applicants acknowledge with appreciation the courtesy of a telephonic interview on May 10, 2006 between Supervisory Patent Examiner Fritz Fleming, Examiner Harold Kim, and Applicants' Attorneys Bruce Sunstein and Jeffrey Klayman regarding the final Office action dated April 3, 2006.

During the telephonic interview, the Hitz reference was discussed in relation to the claimed invention. Hitz describes a mixed Unix/Windows file storage system in which Unix file security attributes are mapped to Windows file security attributes when a Windows client accesses a Unix file. In Hitz, if a Unix name cannot be mapped to a corresponding Windows name, then the Unix name is returned to the Windows client (Col. 6, lines 42-48).

Applicants' Attorneys explained that the claims of the subject patent application require **BOTH** a map failure indicator **AND** a corresponding identifier to be returned in the SID (specifically, "at least one map failure indicator **AND** the corresponding identifier from the first set of file security attributes," emphasis added). The map failure indicator and the identifier are clearly two distinct components. As expressed in the claims, the map failure indicator indicates that the identifier relates to the first security model (as opposed to the SID, which relates to the second security model).

Applicants' Attorneys explained that Hitz is not a proper 102 reference because it fails to disclose each and every claim limitation. Specifically, Hitz does not include **BOTH** a map failure indicator **AND** an identifier in the SID, as required by the claims. Rather, Hitz only returns an identifier. Contrary to the plain wording of the claims and the described embodiments, the Examiner treats Hitz's identifier as both the map failure indicator and the identifier. Such an interpretation reads the word "and" out of the claim (with regard to requiring "at least one map failure indicator **AND** the corresponding identifier from the first set of file security attributes"), and also ignores the claim provision requiring that the map failure indicator indicate that the identifier relates to the first file security model.

Supervisory Patent Examiner Fleming requested clarification of where the term “map failure indicator” is supported in the specification. Applicants’ Attorneys pointed out that the term “map failure indicator” was introduced into the claims to replace the term “UNIX-specific indicator” as part of an amendment requested by the Examiner to remove the trademark terms UNIX and Windows from the claims. Applicants had agreed to amend the claims even though such trademark terms, which have well-defined meanings, are generally allowed in the claims (see MPEP 608.01(v)), and even though the Hitz reference itself, which was cited by the Examiner, includes the trademark terms Unix and NT in its claims. Applicants also pointed out that the term “map failure indicator” was not introduced in a vacuum, but is expressly qualified in the claims as indicating that the identifier relates to the first file security model, so that the purpose of the map failure indicator is clear.

Preliminarily, the application recites in scrupulous detail the manner in which a map failure is handled. The opening sentence of the detailed description (page 8, line 14 et seq.) explains that a UNIX-specific SID is generated upon a map failure. As examples of map failure indicators, Applicants’ Attorneys pointed to page 8, lines 17-21 (“the UNIX-specific SID is preferably of the form: S-1-X-Y-Z where X is a UNIX-specific authority identifier” [such as the value 77] and “Z is the UNIX identifier”); page 19, lines 12-19 (“the UNIX-specific SID can alternatively be of the form: S-1-X-Z where X is a UNIX-specific authority identifier” [such as the values 77 and 78]); and page 19, lines 25-28 (“the UNIX-specific SID is not limited to one with a UNIX-specific authority identifier, but rather the UNIX-specific SID could use one of the well-known authority identifier values, with the at least one UNIX-specific indicator and the UNIX identifier as qualifiers”).

Although Applicants’ Attorneys and the Examiner discussed the possibility of amending the claims to explicitly state that the map failure indicator and the identifier are distinct components, no agreement was reached, and Applicants’ Attorneys submitted then (and submit now) that the claims as worded require two distinct components, as discussed above. While Applicants concede that the prior art shows one of the components – an identifier – there is utterly nothing in the prior art to satisfy the other leg of the claim – a map failure indicator.

2. THE RECORD LACKS A PRIMA FACIE CASE FOR THE REJECTION

Applicants respectfully submit that the Examiner has failed to set forth a prima facie case for rejection of the claims. It is well settled that a claim is invalid as anticipated under 35 U.S.C. § 102 only if a single prior art reference discloses either expressly or inherently, each limitation of the claim. *In re Cruciferous Sprout Litigation*, 301 F.3d 1343, 64 U.S.P.Q. 2d 1202 (Fed. Cir. 2002). Hitz simply does not disclose each and every limitation of the claim.

As discussed above, the claims clearly require a SID that includes separate map failure indicator and identifier components. Specifically, the claims expressly require “at least one map failure indicator AND the corresponding identifier from the first set of file security attributes” (emphasis added), and the description clearly shows that the SID includes separate map failure indicator and identifier components. In fact, all of the exemplary embodiments described in the specification clearly include a distinct map failure indicator in addition to the identifier (e.g., a distinct UNIX-specific authority identifier along with the UNIX identifier in exemplary UNIX-specific SIDs shown at page 8, line 19 and page 19, line 15, and a distinct UNIX-specific indicator along with a UNIX identifier as qualifiers to a well-known authority identifier value in an alternative embodiment described at page 19, lines 25-28). Thus, the claims unequivocally require two separate and distinct components, namely a map failure indicator and an identifier. Hitz fails to disclose these two separate and distinct components.

Furthermore, the claims expressly require that the map failure indicator indicate that the identifier relates to the first file security model, and this limitation is neither disclosed nor suggested by Hitz. As discussed in Hitz, UNIX user names and NT user names are merely alphanumeric strings (see, for example, Hitz column 6, lines 42-45), so there is nothing inherent in a user name to indicate the file security model to which it relates. In fact, the UNIX user names and NT user names are essentially fungible in that a UNIX user name can be used as an NT user name (see, for example, Hitz column 6, lines 45-48) and an NT user name can be used as a UNIX user name (see, for example, Hitz column 7, lines 61-64). Thus, the identifier provides no indication of file security

model in and of (and for) itself, and therefore the identifier cannot possibly act as the map failure indicator. Rather, as discussed and claimed in the subject patent application, a separate and distinct map failure indicator is used to indicate that the identifier relates to the first file security model. Hitz clearly lacks anything that can be considered a map failure indicator to indicate that the identifier relates to the first file security model.

It is clear, then, that Hitz fails to expressly or inherently disclose or suggest a map failure indicator as claimed herein. Hitz certainly does not disclose a map failure indicator that is separate and distinct from the identifier. Furthermore, Hitz's UNIX identifier simply cannot be both the map failure indicator and the identifier, as suggested by the Examiner, because the identifier does not indicate the file security model to which it relates. The fact that Hitz uses the UNIX user name as the NT user name is merely a result of a map failure; it does not indicate that a map failure has occurred (e.g., just because a person is sick does not mean that the doctor has been called). There is simply nothing in Hitz to indicate that a map failure has occurred.

### 3. CONCLUSION

Applicants reiterate that Hitz is an improper reference under 35 U.S.C. 102 or 103 because Hitz fails to expressly or inherently disclose or suggest a map failure indicator to indicate that the identifier relates to the first file security model. Because Hitz fails to disclose or suggest each and every claim limitation, Hitz is an improper reference, and the claims are allowable over Hitz.

4. All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in condition for allowance. The Applicant Respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Jeffrey T. Klayman, if it will assist further examination of this application.

5. The Applicants do not believe any extension of time is required for timely consideration of this response. In the event that an extension has been overlooked, this

conditional petition of extension is hereby submitted, and Applicants request that deposit account number 19-4972 be charged for any fees that may required for the timely consideration of this application.

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Respectfully submitted,



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